Case No.: 2:20-cv-00236-GMN-NJK

STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE AND DISBURSEMENT OF INTERPLEADER 1

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FIRM, P.C. a Nevada professional corporation; and MADDOX ISAACSON CISNEROS, LLP, a Nevada limited liability company,

Defendants.

## STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE

COMES NOW, Pursuant to Local Rules LR IA 6-2 and LR 7-1, Plaintiff State Farm Mutual Automobile Insurance Company ("State Farm"), by and through its counsel of the law firm KRAVITZ, SCHNITZER & JOHNSON CHTD., defendants Tonya Lisamarie Aguilar, David Tyler Aguilar and Kailey Marie Aguilar, by and through their counsel of the law firm INJURY LAWYERS OF NEVADA, Defendant MADDOX ISAACSON CISNEROS, LLP, by and through its counsel of the law firm MADDOX AND CISNEROS LLP, and Defendant LYONS PHYSICAL THERAPY, by and through its counsel the LAW OFFICE OF JUSTIN PATRICK STOVALL, and hereby stipulate as follows:

- 1. The Parties stipulate and agree to dismiss Plaintiff's First Amended Complaint with prejudice, with each Party to bear their own fees and costs;
- 2. The Parties further stipulate and agree that all hearings, conferences and deadlines in the above-captioned matter are hereby VACATED;
- 3. State Farm voluntarily dismisses its claims against all other Defendants pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i); and
- 4. The Parties further stipulate and agree that the \$30,000.00 interpleader deposit posted by State Farm on July 7, 20201 shall be discharged and released to the Kravtiz,

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<sup>1</sup> See ECF No. 46.

| 1  | Schnitzer & Johnson, Chtd. trust account.  |   |
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| 2  | DATED this 3 <sup>rd</sup> day of February, 2021.  |   |
| 3  | 3,   |   |
| 4  | KRAVTIZ, SCHNITZER & JOHNSON,<br>CHTD.   | INJURY LAWYERS OF NEVADA  |
| 5  | By: /s/ Michael R. Esposito, Esq.  | By: /s/ Jared B. Anderson, Esq.   |
| 6  | MARTIN J. KRAVITZ, ESQ.  | David J. Churchill, Esq.  |
| 7  | Nevada Bar No. 83<br>MICHAEL R. ESPOSITO   | Nevada Bar No. 7308<br>Jared B. Anderson, Esq                                       |
| /  | Nevada Bar No. 13482   | Nevada Bar No. 9747   |
| 8  | 8985 So. Eastern Avenue, Suite 200   | 4001 Meadows Lane   |
| 9  | Las Vegas, Nevada 89123 Attorneys for Plaintiff,   | Las Vegas, Nevada 89107   |
| 10 | State Farm Mutual Automobile Ins. Company  | KELLY K. HUANG, ESQ.  |
|    |  | 3100 East Charleston Boulevard, Suite 109   |
| 11 |  | Las Vegas, Nevada 89104   |
| 12 |  | Attorneys for Defendants Tonya Lisamarie<br>Aguilar, David Aguilar and Kailey Marie |
| 13 |  | Aguilar   |
| 14 | MADDOX & CISNEROS LLP  | LAW OFFICE OF JUSTIN PATRICK STOVALL  |
| 15 |  |   |
| 16 | By: /s/ Norberto J. Cisneros, Esq. Norberto J. Cisneros, Esq.  | By: <u>/s/ Justin Patrick Stovall, Esq.</u> Justin Patrick Stovall, Esq.            |
|    | Nevada Bar No. 8782  | Nevada Bar No. 11723  |
| 17 | Barbara M. McDonald, Esq.  | 2300 W Sahara Ave Ste 800   |
| 18 | Nevada Bar No. 11651   | Las Vegas, NV 89102   |
|    | 3230 South Buffalo Drive, Suite 108  | 702-586-4744  |
| 19 | Las Vegas, Nevada 89117  | Fax: (702) 258-0093   |
| 20 | IT IS SO ORDERED.  | Email: justin@jpstovall.com   |
| 21 | TI IS SO CREEKED.  |   |
| 22 | IT IS FURTHER ORDERED that Defendant David Tyler Aguilar and Kailey Marie Aguilar's Motion to Dismiss, (ECF No. 37), is <b>DENIED as moot.</b> |   |
| 23 |  |   |
| 24 | Г  | Dated this 4 day of February, 2021.   |
| 25 |  |   |
| 26 |  | Wen 6   |
| 27 |  | Gloria M. Navarro, District Judge   |
| 28 |  | UNITED STATES DISTRICT COURT  |